

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday August 24, 2015

CALL TO ORDER: Following due call and notice thereof, Mayor Gran called the meeting to order at 6:00 p.m. in the Council Room, City Hall.

ROLL CALL: Members present: Mayor Joshua Gran, Council Members: DeWayne Schroeder, Bob Lemke, and Member Paul Fisch. Member Bob Burns was absent. City Staff Present: City Clerk/Administrator: Ted Schoonover, Administrative Coordinator: Mike Gerardy, City Attorney: Tim Murphy. County Commissioner Judy Storlie. Guests: Bruce Kuehmichel Sharon Schulte, Marge Birkeland, Todd Roesler, Carol Nelson, Terry Lauden, Lois Greer, Audrey Almo, Andy Allen, Randi Vick, Lynette Rommes, Randy Mell, and Caledonia Argus reporter Zach Olson.

AGENDA: Motion by Member Fisch, second by Member Lemke to approve the agenda. All members present voted in favor and the motion was declared carried.

CONSENT AGENDA APPROVAL: Motion by Member Fisch, second by Member Lemke to approve the consent agenda, which consisted of the regular meeting minutes from July 27. All members present voted in favor and the motion was declared carried. Member Schroeder abstained from the vote. Member Burns arrived at 6:05 p.m.

VISITORS AND COMMUNICATIONS: Sharon Schulte was present to ask the City Council for permission to retrieve the baskets, shower curtains and other items from the pool in an effort to refurbish them and either sell them or auction them off to raise money for additional items for the new pool. Motion by Mayor Gran, second by Member Fisch to authorize the dolphins to retrieve the baskets, curtains and other items that can be sold or auctioned off at a later date. All members voted in favor and the motion was declared carried.

ADMINISTRATIVE COORDINATOR:

Randy Mell was present on behalf of Camp Winnebago. He approached the city about using them as a pass through in order to use the Houston County Highway Departments traffic cones at a 5k marathon being held at Camp Winnebago. He stated the county doesn't allow for residents to borrow them but they would allow another government agency to use them. Mike Gerardy will assist in the transfer of cones and if additional cones are needed the city also had some cones that could be made available. Motion by Member Burns, second by Member Lemke to authorize pass through for the 5k run on August 29, 2015. Roll call of votes: Yes: Member Burns, Schroeder, Lemke and Fisch. No: None. Abstain: Mayor Gran. The motion was declared carried.

Schoonover presented the City Council with two proposals from USAquatics for demolition of the pool and another proposal to build the new pool. They are proposing this be done in two separate bid packages. Schoonover stated that his only concern would be that we potentially will demo the pool without knowing what the actual bids for a new pool are, so it places the city in a position that we could potentially be without a pool if the bids come in extremely high and are not affordable. The consensus of the council was to keep the bids as one package and to request a preview of the bidding documents prior to public release. No further action was taken.

At 6:25 p.m. Mayor Gran closed the regular meeting and opened a public hearing to discuss an Ordinance Amendment to Ordinance 153. This proposal was recommended by City Attorney Tim Murphy to allow the city a little more control over what is allowed to be constructed in Agricultural/Industrial Districts within the city limits. County Commissioner Storlie voiced her concerns that the purchase agreement the county signed when that property was purchased was contingent on it being allowed there, hence that is why in 2008 the Ordinance was changed to make it a permitted use. Todd Roesler voiced his concerns that no one he has talked to wants the Highway Shop built in a residential area that has so much prime real estate. Bruce Kuehmichel stated that when the land was purchased land borings were done and it was determined then that the soil was not suitable for building unless new soils were brought in and at the time the estimate was up to 1 million dollars to include infrastructure. Andy Allen also voiced his concerns over it being allowed there and that up to this point the City Council has listened to its residents unlike the County Commissioners, and he encouraged the council to steadfast in their decision to not allow it to be located in that location. Several other residents also voiced their concerns over using prime real estate for residential for a highway shop. Kelly McGraw would prefer the city not allow anything except residential dwellings in that area, and asked the council to change the Ordinance to reflect that change. Member Burns stated that when this conversation first started he had no real concerns about it being built there, but after hearing the majority of residents oppose it he has now changed his position. He did state that one reason for his support was to extend Warrior Drive to the highway for emergency services to have access. Attorney Murphy stated that the city is not denying anything at this point we are simply changing a permitted use to a conditional use as it was back in 2008. If

the county wants to build there they can apply for a CUP and argue their case in front of the City Council for permission. Mayor Gran closed the public hearing at 6:50 p.m.

Motion by Mayor Gran, second by Member Fisch to Amend Ordinance 153 as presented, by removing the permitted use for Government buildings, including a Houston County Criminal Justice Center and Houston County Highway Department Facility and placing it as a conditional use permit. All members present voted in favor and the motion was declared carried.

At 7:05 p.m. Mayor Gran closed the regular meeting and opened a public hearing to discuss a residents request for a CUP or IUP for an in-home occupation located at 521 E. Grove St. Julia Crawford-Ingvalson is intending to purchase the property and move her dog grooming business into the garage of the home. There will be no animals running at large nor will they be allowed to be kenneled for long periods of time. Customers will be using the driveway to eliminate concerns about parking on Winnebago St. She is estimating approximately 6-8 dogs a day so not a lot of traffic or congestion. All dogs will be on leashes on arriving and leaving. At 7:15 p.m. Mayor Gran closed the public hearing and reopened the regular meeting. Motion by Member Burns, second by Mayor Gran to Authorize the Interim Use Permit (IUP) rather than a Conditional Use Permit (CUP) for a period of three years, subject to her closing on the property. All members present voted in favor the motion was declared carried.

Randi Vick and Lynette Rommes were present to discuss the issue of private water service lines in town. Neither one of them realized they had a private line until it failed this past winter. They feel the city needs to do some investigations and determine where the other private lines are located and inform the property owners so they don't have the same surprise. Member Schroder says he knows where they are located and will work with Administrator Schoonover to map them out and notify the effected property owners. No further action was taken.

Gerardy and Schoonover presented the council with a request from City Electrician Matt Blocker to purchase some new LED street light bulbs. There appeared to be some confusion on the number of lights he was requesting and the council wanted some more clarification before approving the purchase. No further action was taken. Gerardy then stated that the new holiday decorations have arrived and is asking permission to sell the old ones on the League of Minnesotas website. Consensus of the council was to allow them to be placed on the site and sold as is. Schoonover also stated he was approached by a resident who wanted to inquire about the playground equipment and if she could have it. After a brief discussion and input from City Attorney Murphy he recommends that we do sealed bids, have the winning bidder sign an indemnity clause for liability and have them remove the items. If no bids are received then the items will be scrapped. No further action was taken.

NEW BUSINESS:

Attorney Murphy was present to respond to a residents request to be placed on the agenda in regards to his sewer line that backed up in July. The resident tried several local plumbers but they could not free the debris that were within his sewer line. Mr. Peplinski then requested assistance from the City of Caledonia. After Mike Gerardy and Schoonover had a conversation Attorney Murphy was contacted and an agreement for services was drafted and signed by both parties, this agreement stated that Mr. Peplinski would be responsible for all charges and equipment usage. He is now insisting that this is not consistent with our Ordinances and wants all the property owners billed by the city, but the other parties had no back up or issues. It is Attorney Murphy's opinion that Mr. Peplinski signed the agreement and therefore bears the responsibility for the charges. Everything else in his letter concerning open data requests have all been completed on multiple occasions, and if he wants to review the minutes from the past 50 years he is surly entitled to come in and look through them but we have no listing of grandfathered properties as he is requesting. Motion by Mayor Gran, second by Member Burns to Send Mr. Peplinski a letter stating that he requested the assistance and he bears the responsibility for payment of borrowed equipment and services in the amount of \$537.31 payable within 30 days per the agreement between the City of Caledonia and Mr. Peplinski. Further discussion was if he feels that the other property owners need to be billed then he can reach out to them and receive payment from them directly. The letter will also be mailed by certified mail to ensure delivery. All members present voted in favor and the motion was declared carried.

Head Librarian Marla Burns has requested that we hire an as needed fill in librarian for days when the two regular librarians are not available. This position will be on as needed basis and at minimum wage. Motion by Member Fisch, second by Member Lemke to hire Rebecca Randall as a fill in librarian at \$9.00 per hour pending a background check. All members present voted in favor and the motion was declared carried.

Motion by Member Burns, second by Member Schroeder to purchase the laptops and other equipment to compliment the LETG system and become compliant with the new e-ticket system. In the amount of \$16,078.49 with an estimated installation charges of \$2,000.00. All members present voted in favor and the motion was declared carried.

Schoonover presented the council with a donation request from Houston County Victim Services/Witness Program. In the past the city has donated \$2,000.00 which is based on our population. Mayor Gran preferred to see what they actually did for the residents before spending tax payers dollars, the consensus of the other members was it is a good program and we can request a listing along with our donation to get the information he needs to see. Motion by Member Fisch, second by Member Schroeder to approve the donation to the Houston County Victim

Services office in the amount of \$2,000.00 as requested. Roll call of votes. Yes: Members Fisch, Schroeder, Burns, Lemke. No: Mayor Gran. Motion was declared carried.

Schoonover and Member Fisch wanted to clarify that the individual that approached the council at its last meeting was not totally accurate in his description of what transpired prior to his disconnect of services. He was actually given additional time and it has always been customary to use 9:00 a.m. as the disconnect time to allow the electrician to get it done prior to the end of the workday. Therefore there will be changes in the methods in which we notify the residents or when we dis-connect for a lack of payment. No action taken.

Motion by Member Burns, second by Member Lemke to approve the gambling permit for St. Mary's Church on September 20, 2015. All members present voted in favor and the motion was declared carried.

Motion by Member Burns, second by Mayor Gran to approve the one day liquor license for the American Legion for the Chuck Gavin Benefit on September 12, 2015. All members present voted in favor and the motion was declared carried.

Motion by Member Burns, second by Member Lemke to approve the 2015 Ambulance contract with Brownsville Township. All members present voted in favor and the motion was declared carried.

Motion by Member Fisch, second by Member Schroeder to purchase a firewall for the liquor store computer system in the amount of \$645.00 for a two year coverage. All members present voted in favor and the motion was declared carried.

Employee overtime reports were reviewed with no action taken.

Motion by Member Schroeder, second by Member Fisch to approve the Contract for Professional Services with CEDA on a as needed basis. All members present voted in favor and the motion was declared carried.

At 9:05 p.m. Mayor Gran closed the Regular Meeting and went into closed session pursuant to Minnesota Statute 13D.05 Subd. 1 Labor Negotiations. Discussions followed in closed session.

At 9:30 p.m. Mayor Gran reopened the regular meeting with no further action taken.

The next regular meeting will be on Monday, September 14, 2015, at 6:00 p.m.

ADJOURNMENT: There being no further business before the Council, A motion to adjourn was made by Member Schroeder, second by Member Lemke. All voted in favor and the motion was declared carried to adjourn at 9:30 p.m.

Ted A. Schoonover
Clerk-Administrator

Joshua D. Gran
Mayor